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on the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-seventh session
31 July - 25 August 2000

CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the
Elimination of Racial Discrimination

Czech Republic

1. The Committee considered the third and fourth periodic reports of the Czech Republic (CERD/C/372/Add.1) at its 1411th and 1412th meetings (CERD/C/SR.1411 and 1412), on 7 and 8 August 2000, and at its 1419th meeting (CERD/C/SR.1419), on 11 August 2000, adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the comprehensive report presented by the Government of the Czech Republic, in accordance with the Committee's guidelines, which contains relevant information about the implementation of the provisions of the Convention in the State party. The Committee appreciates the frank and constructive dialogue with the State party delegation, composed of representatives of a wide range of governmental offices, as well as the detailed answers to questions raised and concerns expressed during the consideration of the report.

B. Positive aspects

3. The Committee welcomes the additional amendments to the Act (194/1999) on the Acquisition and Loss of Citizenship (September 1999), which has helped to resolve problems relating to the acquisition of Czech citizenship for former citizens of the Czech and Slovak Federal Republic.

4. The Committee welcomes the establishment of new advisory bodies on matters relevant to combating racism and intolerance, in particular the Government's Commissioner for Human Rights and the Council for Human Rights. In addition, the Committee takes note of the process to enact the draft bill for the creation of a Public Rights Protector (Ombudsman), which is expected to enhance the protection

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of citizens against any inappropriate treatment by the State administration, including acts of racial discrimination.

5. The launching and implementation of the "Tolerance Project" (December 1999-June 2000), a public awareness campaign intended to prevent racial discrimination and increase tolerance, as well as other programmes in the field of human rights education are regarded as significant measures in the implementation of article 7 of the Convention.

6. The Committee also welcomes the Act on the System of Primary and Secondary Schools (1999), which facilitates the entry of special school graduates into secondary schools, a measure that is designed to benefit Roma cildren.

7. The Committee welcomes the steps taken by the authorities of the State party to make the declaration provided for in article 14 of the Convention, and encourages the State party to finalize this process as soon as possible.

8. The publication on an Internet site of the Ministry of Justice of the initial and second periodic reports as well as the concluding observations and other related documents relating to the dialogue between the State party and the Committee is noted with appreciation.

C. Concerns and recommendations

9. While the Committee welcomes measures taken by the State party for the promotion and the protection of the human rights of the Roma minority, in particular the ones included in the "Concept of Government Policy Towards Members of the Roma Community" (June 2000), it remains concerned by the fact that the Roma population continue to be subjected to discrimination in the fields of housing, education and employment. The Committee recommends that the State party include in its next periodic report information on the impact of the measures taken to improve the situation of the Roma minority, especially the ones designed to eliminate their social exclusion.

10. With regard to article 3 of the Convention, concern is expressed about the existing situations of de facto segregation in the areas of housing and education of the Roma population. In particular, concern is expressed at measures taken by some local authorities leading to segregation and at the practice of school segregation by which many Roma children are placed in special schools, offering them lesser opportunities for further study or employment. The Committee recommends that the State party undertake effective measures to eradicate promptly practices of racial segregation, including the placement of a disproportionate number of Roma children in special schools.

11. The Committee is concerned that some organizations, including political parties, promoting racial hatred and superiority are hidden behind legally registered civic associations whose members are promoting xenophobia and racism. Concern is also expressed at the ineffective implementation of existing legislation to prosecute the perpetrators of incitement to racial hatred and support to racist movements. In light of article 4 of the Convention, the Committee recommends that the State party strengthen law enforcement to ensure that these organizations are dismantled and their members prosecuted.

12. While noting the information provided by the State party on the number of convictions for racially motivated offences, the Committee is concerned by the increasing number of incidents of racially motivated violence against minority groups, in particular against members of the Roma community, many of which may not even be reported. The Committee recommends that the State party strengthen the measures already undertaken to intensify enforcement of the criminal law against racially motivated crimes.

13. The Committee reiterates its concern at the lack of criminal, civil or administrative law provisions expressly outlawing racial discrimination in

education, health care, social care, the penitentiary system, as well as in the private sphere. The Committee recommends that the State party undertake legislative reform to safeguard the enjoyment, without any form of discrimination, by all segments of the population, of the economic, social and cultural rights listed in article 5 of the Convention. It further recommends that such reform should include the provision of adequate reparation for victims of racial discrimination.

14. The Committee reiterates its concern about the lack of effectiveness and confidence in the ability of the criminal judicial system to prevent and combat racial crimes. In this connection, concern is also expressed about the degrading treatment by the police of members of minority groups. The Committee recommends the continuation and strengthening of training programmes for police and all officials in charge of implementing the law on issues related to the implementation of the Convention. The Committee reminds the State party of the Committee's general recommendation XIII relating to the implementation of articles 2 and 7 of the Convention.

15. With regard to article 7 of the Convention, the Committee is of the opinion that the measures taken by the State party in the field of teaching, education, culture and information to combat racial discrimination should be intensified. In this regard, the Committee recommends that the State party continue and extend its educational programmes in order to raise awareness of the population at large of all aspects relating to racism and racial discrimination.

16. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties to the Convention.

17. The Committee recommends that the State party ensure the wide dissemination of the text of the Convention and continue to make its periodic reports readily available to the public from the time they are submitted, and that the Committee's concluding observations on them be similarly publicized.

18 .The Committee recommends that the State party's next periodic report, due on 22 February 2002, be an updating report and that it address the points raised in the present observations.